Company Tracking Number: 0803FF025

TOI: 01.0 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Filing at a Glance

Companies: Markel American Insurance Company, Markel Insurance Company

Product Name: Capital Assets SERFF Tr Num: MRKB-125606841 State: Arkansas

TOI: 01.0 Property SERFF Status: Closed State Tr Num: EFT \$100

Sub-TOI: 01.0001 Commercial Property (Fire Co Tr Num: 0803FF025 State Status: Fees verified and

and Allied Lines) received

Filing Type: Form Co Status: Sent to DOI for Approval Reviewer(s): Betty Montesi,

Llyweyia Rawlins, Brittany Yielding

Author: Wilfredo Mejia Disposition Date: 04/21/2008

Date Submitted: 04/15/2008 Disposition Status: Approved

Effective Date Requested (New): 07/01/2008 Effective Date (New): 07/01/2008

07/01/2008

State Filing Description:

General Information

Project Name: Capital Assets Forms and Rules Status of Filing in Domicile: Pending

Project Number: 0803RF025 Domicile Status Comments: Reference Organization: N/A Reference Title: N/A Advisory Org. Circular: N/A

Filing Status Changed: 04/21/2008

State Status Changed: 04/21/2008 Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

Markel Insurance Company and Markel American Insurance Company wish to file the enclosed new independent forms.

The corresponding form and rating rules have been deskfiled under our company file # 083RR025.

We have summarized the proposed changes in the attached Filing Memorandum.

SERFF Tracking Number: MRKB-125606841 State: Arkansas
First Filing Company: Markel American Insurance Company, ... State Tracking Number: EFT \$100

Company Tracking Number: 0803FF025

TOI: 01.0 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Company and Contact

Filing Contact Information

Wilfredo Mejia, Regulatory Compliance wmejia@markelcorp.com

Specialist

4600 Cox Road (800) 431-1270 [Phone] Glen Allen, VA 23060 (804) 527-7900[FAX]

Filing Company Information

Markel American Insurance Company CoCode: 28932 State of Domicile: Virginia 4600 Cox Road Group Code: 785 Company Type: Commercial

Property & Casualty

Glen Allen, VA 23060 Group Name: State ID Number:

(800) 431-1270 ext. [Phone] FEIN Number: 54-1398877

Markel Insurance Company CoCode: 38970 State of Domicile: Illinois

4600 Cox Road Group Code: 785 Company Type: Commercial

Property & Casualty

Glen Allen, VA 23060 Group Name: State ID Number:

(800) 431-1270 ext. [Phone] FEIN Number: 36-3101262

Filing Fees

Fee Required? Yes
Fee Amount: \$100.00
Retaliatory? No

Fee Explanation: 2 companies at \$50.00 per company

Per Company: No

COMPANY AMOUNT DATE PROCESSED TRANSACTION #

Markel American Insurance Company \$0.00 04/15/2008

Markel Insurance Company \$100.00 04/15/2008 19577100

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	04/21/2008	04/21/2008

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Disposition

Disposition Date: 04/21/2008 Effective Date (New): 07/01/2008

Effective Date (Renewal): 07/01/2008

Status: Approved

Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing 0.000%

Overall Percentage Rate Impact For This Filing 0.000%

Effect of Rate Filing-Written Premium Change For This Program \$0

Effect of Rate Filing - Number of Policyholders Affected 0

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property Casualty	&Approved	Yes
Supporting Document	Cover Letter	Approved	Yes
Supporting Document	Filing Memorandum	Approved	Yes
Form	BUSINESS INCOME CHANGES - "COMMUNICABLE DISEASE" AND "FOOD CONTAMINATION" EXTENSION	Approved	Yes
Form	ELECTRONIC DATA	Approved	Yes
Form	GUEST INCONVENIENCE EXPENSE	Approved	Yes
Form	INCREASED LIMITS FOR TREES, SHRUBS, AND PLANTS	Approved	Yes

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Form Schedule

Review	Form Name	Form #	Edition	Form Type Action	Action Specific	Readability	Attachment
Status			Date		Data		
Approved	BUSINESS INCOME CHANGES - "COMMUNICABI E DISEASE" AND "FOOD CONTAMINATIO		(02/08)	Endorseme New nt/Amendm ent/Conditi ons		0.00	MOP00808. pdf
	N" EXTENSION						
Approved	ELECTRONIC DATA	MOP 009	(02/08)	ent/Conditi		0.00	MOP00908. pdf
Approved	GUEST INCONVENIENC E EXPENSE	MOP 010 ;	(02/08)	Endorseme New nt/Amendm ent/Conditi ons		0.00	MOP01008. pdf
Approved	INCREASED LIMITS FOR TREES, SHRUBS, AND PLANTS	MOP 011	(02/08)	Endorseme New nt/Amendm ent/Conditi ons		0.00	MOP01108. pdf

BUSINESS INCOME CHANGES - "COMMUNICABLE DISEASE" AND "FOOD CONTAMINATION" EXTENSION

This endorsement modifies insurance provided under the following:

CAPITAL ASSETS PROGRAM COVERAGE FORM (OUTPUT POLICY)

SCHEDULE

\$______ per occurrence \$_____ Aggregate Limit

I. The following is added to A. Coverage, 7. Business Income and Extra Expense, d. Additional Coverages:

We will pay for the actual loss of Business Income you sustain as a result of having your entire "operations" temporarily shut down or suspended by an order from any local, state, or federal Department of Health having jurisdiction over your "operations." Such shutdown must be the direct result of an outbreak at the insured premises of a "communicable disease" such as, but not limited to, Meningitis, Measles, or Legionnaire's Disease, or to a "food contamination" caused directly by infectious or bacterial organisms such as, but not limited to, infectious Hepatitis, E. Coli bacteria, or Salmonella. An actual business shutdown must occur.

II. LIMIT OF INSURANCE

The most we will pay for loss or damage per occurrence is the limit shown in the SCHEDULE per occurrence.

III. AGGREGATE LIMIT

The most we will pay under this coverage regardless of the number of occurrences during a policy year is the limit shown in the SCHEDULE for Aggregate Limit. This Aggregate Limit applies separately to each consecutive annual period and to any remaining period of less than 12 months, starting with the beginning of the policy period shown in the Declarations.

IV. As respects this Extension Endorsement, the following is added as a Covered Cause of Loss:

A Covered Cause of Loss is an outbreak at the insured premises described in the Declarations of a "communicable disease" or a "food contamination" caused directly by infectious or bacterial organisms, or infestation by animals transmitting the rabies virus either of which causes illness and results in an order from a local, state or federal Department of Health to temporarily shut down or suspend your entire "operations".

V. As respects a loss under this endorsement, the following is added as a Coverage Extension:

We will pay any Extra Expense:

- (a) To clean your equipment per jurisdictional Board of Health requirements;
- **(b)** To replace consumable goods declared contaminated by the jurisdictional Board of Health:
- (c) To administer necessary medical tests and vaccines for affected employees as required by the Board of Health or other government body;
- (d) To reimburse infected patrons for necessary doctors' care, hospitalization and blood work; and
- (e) To include extra advertising costs to restore your business reputation, beginning 72 hours after the appropriate jurisdictional body shuts down or suspends your "operations" and ending within 30 days after the governing body certifies that the described premises are habitable and may reopen as fully or partially operational.

The most we will pay for the total of the above expenses in (V) above is \$5,000.

VI. The definition of "Period of Restoration" is replaced by the following as respects coverage provided by this endorsement:

"Period of Restoration" means the period of time that:

- **a.** Begins 72 hours after the jurisdictional Department of Health closes your "operations" and your premises are evacuated due to illness caused by an outbreak of a "communicable disease" or "food contamination"; and
- **b.** Ends on the earlier of:
 - (1) The day before your "operations" resume, either fully or partially; or
 - (2) The day the jurisdictional Department of Health certifies that your premises are habitable and may reopen as fully or partially operational.

"Period of Restoration" does not include any increased period required due to the enforcement of any ordinance or law that:

- Regulates the construction, use or repair, or requires the tearing down of any property;
 or
- **b.** Requires any insured or others to test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of "pollutants" as defined herein.

The expiration date of this policy will not cut short the "Period of Restoration".

VII. The Additional Coverages - Extended Business Income, Paragraph **7.d.(3)** is deleted as respects this endorsement.

VIII. As respects this endorsement only, the definition of "Pollutants" is replaced by the following:

"Pollutants" means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapors, soot, fumes, acids, alkalis, chemicals and waste. Waste includes materials to be recycled, reconditioned or reclaimed. "Pollutants" does not include outbreaks of infectious diseases or "food contamination", such as Salmonella, E. Coli or infectious Hepatitis, any of which results in illness.

- **IX.** As respects this endorsement, the following definitions are added:
 - "Communicable Disease" is an illness, sickness, condition or an interruption or disorder of body functions, systems or organs that is transmissible by infection or contagion directly through human contact or contact with human fluids, waste or similar agent.
 - 2. "Food Contamination" means the rendering of food as impure, unsuitable, unhealthy or inferior as the result of the introduction of infectious or bacterial organisms. The contamination may be present in food purchased by your or result from contact with one or more of your infected employees.
- X. All conditions, definitions and exclusions applicable to Business Income and related endorsements not in conflict with those herein apply to this coverage. However, Exclusion of Loss Due to Virus or Bacteria does not apply to coverage under this endorsement. The inapplicability of the Exclusion of Loss Due to Virus or Bacteria to a particular loss does not serve to create coverage for any loss that would otherwise be excluded under this Coverage part or Policy.

All other terms and conditions remain the same.

ELECTRONIC DATA

This endorsement modifies insurance under the following:

CAPITAL ASSETS PROGRAM COVERAGE FORM (OUTPUT POLICY)

SCHEDULE

Limits	
\$	per Scheduled Location; or
\$	blanket "electronic data" limit

Paragraph A.3.i.(3) is deleted in its entirety and replaced by the following:

The Limit(s) of Insurance shown in this Endorsement are separate from, and will not reduce the Limit of Insurance shown in the Declarations or the Scheduled Location endorsement as applicable to the Covered Property.

3. The most we will pay under this Coverage - Electronic Data is the limit shown in the SCHEDULE of this form per Scheduled Location or blanket "electronic data" limit for all loss or damage sustained in any one policy year, regardless of the number of occurrences of loss or damage or computer systems involved. If loss payment on the first occurrence does not exhaust this amount, then the balance is available for subsequent loss or damage sustained in but not after that policy year. With respect to an occurrence which begins in one policy year and continues or results in additional loss or damage in a subsequent policy year(s), all loss or damage is deemed to be sustained in the policy year in which the occurrence began.

All other terms and conditions remain the same.

GUEST INCONVENIENCE EXPENSE

This endorsement modifies insurance provided under the following:

CAPITAL ASSETS PROGRAM COVERAGE FORM (OUTPUT POLICY)

	Limits			Deductible	
\$	eac	h Guest p	oer Day	\$	_ per Occurrence
\$	max	kimum ea	ch Occurrence		
The follo	wing is add	ded to A.	,3. Additional Coverag	es:	
1.		ed Proper		•	d by direct physical loss or damage ered Cause of Loss, up to the limits
	by your	paying g		arranged hotel	pense means the expenses incurred accommodations at the described ows:
	a.		•		use other comparable lodging e to the described premises;
	b.		xpenses incurred wh s where the comparabl	•	om the described premises to a ons are secured; and
	C.		ause other accommoda		m the described premises which are miles from the described premises
2.	We will p	ay for G ı	uest Inconvenience Exp	ense incurred f	or the period of time:
	a.		g on the later of the odations at the describ		es the paying guest's prearranged e:
		(1)	Scheduled to begin, b	out cannot begir	n; or
		(2)	Interrupted		
		due to la	oss or damage to the (overed Property	v by a Covered Cause of Loss: and

- **b.** Ending on the earliest of the following dates:
 - (1) The date the paying guest's prearranged accommodations at the described premises are scheduled to end;
 - (2) The date the damaged property at the described premises should be repaired, rebuilt or replaced with reasonable speed and with similar quality;
 - (3) The date the damaged property at the described premises is actually repaired, rebuilt or replaced; or
 - (4) 14 days after the date determined in a. above.
- c. We will only pay for **Guest Inconvenience Expense** that exceeds \$500 in any one occurrence. We will then pay the actual amount of **Guest Inconvenience Expense** up to the limits shown in the schedule of this endorsement.

The limits applicable to this Additional Coverage are in addition to the limits of insurance shown on the Declarations of this policy.

All other terms and conditions remain the same.

INCREASED LIMITS FOR TREES, SHRUBS, AND PLANTS

This endorsement modifies insurance under the following:

CAPITAL ASSETS PROGRAM COVERAGE FORM (OUTPUT POLICY)

SCHEDULE
Limits
\$ per occurrence
\$ per tree, shrub, or plant
The last paragraph in A.3.h. Trees, Shrubs And Plants is deleted in its entirety and replaced by the following:
The most we will pay for loss or damage under this Additional Coverage is the Limit shown in the SCHEDULE per occurrence but not more than the Limit shown per tree, shrub or plant shown in the SCHEDULE. These limits apply regardless of the types or number of items lost or damaged in that occurrence.
All other terms and conditions remain the same.

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: MRKB-125606841 State: Arkansas

First Filing Company: Markel American Insurance Company, ...

State Tracking Number: EFT \$100

Company Tracking Number: 0803FF025

TOI: 01.00 Property Sub-TOI: 01.0001 Commercial Property (Fire and Allied

Lines)

Product Name: Capital Assets

Project Name/Number: Capital Assets Forms and Rules/0803RF025

Supporting Document Schedules

Review Status:

Satisfied -Name: Uniform Transmittal Document- Approved 04/21/2008

Property & Casualty

Comments: Attachment:

NAIC PCTD.pdf

Review Status:

Satisfied -Name: Cover Letter Approved 04/21/2008

Comments: Attachment:

Cover Letter.pdf

Review Status:

Satisfied -Name: Filing Memorandum Approved 04/21/2008

Comments: Attachment:

Filing Memorandum.pdf

Property & Casualty Transmittal Document

1.	Reserved for Insurance	2. II	nsur	rance Departm	ent 1	Use only				
	Dept. Use Only			Date the filing is received:						
		naly	yst:							
		ispo	osition:							
		d. D	ate	of disposition o	f the	filing:				
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			Re	newal Business						
		f. S	tate	Filing #:	•					
		g. S	ERF	FF Filing #:						
				ect Codes						
3.	Group Name								Group NAIC #	_
	Markel								785	
4.	Company Name(s)			Domicile	NA	AIC#	FEIN#	<u> </u>	State #	=
	Markel Insurance Company			Illinois	_	970	36-3101		State n	
	Markel American Insurance Co	mpany		Virginia		932	54-1398			_
5.	Company Tracking Number		080	3FF025						
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	Company Tracking Number tact Info of Filer(s) or Corpora Name and address	nte Officer Title	(s)	3FF025 [include toll-free		iber]	#		e-mail	
Con	tact Info of Filer(s) or Corpora		(s)	[include toll-free	#s	_		wmeji	e-mail a@markelcorp.com	1
Con	tact Info of Filer(s) or Corpora Name and address Deidre Balbuena 4600 Cox Road	Title VP-Produ & Regular	(s)	[include toll-free Telephone a 1-800-431-127	#s	FAX		wmeji		1
Con	tact Info of Filer(s) or Corpora Name and address Deidre Balbuena	Title VP-Produ	(s)	[include toll-free Telephone a 1-800-431-127	#s	FAX		wmeji		1
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Con	tact Info of Filer(s) or Corpora Name and address Deidre Balbuena 4600 Cox Road	Title VP-Produ & Regular	(s)	[include toll-free Telephone a 1-800-431-127	#s	FAX		wmeji		1
Con 6.	tact Info of Filer(s) or Corpora Name and address Deidre Balbuena 4600 Cox Road Glen Allen VA 23060	Title VP-Produ & Regular	(s)	Telephone a 1-800-431-127 ext 7941	#s 70	FAX 804-527-79		wmeji		n
Con 6.	tact Info of Filer(s) or Corpora Name and address Deidre Balbuena 4600 Cox Road Glen Allen VA 23060 Signature of authorized filer	Title VP-Produ & Regular Services	(s)	[include toll-free Telephone in 1-800-431-127] ext 7941	# s '0	FAX 804-527-79		wmeji		n
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7. 8. Fili 9. 10.	Name and address Deidre Balbuena 4600 Cox Road Glen Allen VA 23060 Signature of authorized filer Please print name of authorized Ing information (see General Inguiry of Insurance (TOI) Sub-Type of Insurance (Sub-Type State Specific Product code(s) applicable)[See State Specific Require	Title VP-Produ & Regular Services zed filer [Instruction (If rements]	uct tory	Include toll-free Telephone is 1-800-431-127 ext 7941 Deidie Balbue or descriptions of mmercial Property pital Assets – Out	Obuse of the y	FAX 804-527-79 ese fields) Policy Rules F	P00	es		
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PC TD-1 pg 1 of 2

Property & Casualty Transmittal Document---

15.	Reference Filing?	Yes	⊠ No
16.	Reference Organization (if applicable)	N/A	
17.	Reference Organization # & Title	N/A	
18.	Company's Date of Filing	04-15-2008	
19.	Status of filing in domicile	☐ Not Filed	l 🛛 Pending 🔲 Authorized 🗌 Disapproved
20.	This filing transmittal is part of Company	Tracking #	0803FF025

21.	Filing Description	[This area can be used in lieu of a cover letter or filing memorandum and is free-form text]	

Markel Insurance Company and Markel American Insurance Company wish to file the enclosed new independent forms and corresponding rates and rules as an enhancement to our Capital Assets (Output Policy) lines of business.

Please refer to our filing memorandum, which summarizes the proposed changes in our filing.

22. Filing Fees (Filer must provide check # and fee amount if applicable)
[If a state requires you to show how you calculated your filing fees, place that calculation below]

Check #: N/A - EFT

Amount: \$100.00 (2 companies

at \$50 per company)

Refer to each state's checklist for additional state specific requirements or instructions on calculating fees.

***Refer to each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)



MARKEL CORPORATION

4600 Cox Road Glen Allen, Virginia 23060-9817 P.O. Box 3870, Glen Allen, Virginia 23058-3870 (804) 527-2700 (800) 431-1270 www.markelinsurance.com

April 15, 2008

Honorable Julie Benafield Bowman Commissioner of Insurance Arkansas Insurance Department 1200 West Third Street Little Rock, Arkansas 72201-1904

Re: Markel Insurance Company, NAIC #785-38970

Markel American Insurance Company 785-28932 Capital Assets (Output Policy) – Independent Forms

Co File # 0803FF025

Honorable Bowman:

Markel Insurance Company and Markel American Insurance Company wish to file the enclosed new independent forms. The corresponding rate and rule filing is being desk filed under filing #0803RR025.

We have summarized the proposed changes in the attached Filing Memorandum.

We trust you will find this submission in order. We wish to utilize this filing for all policies effective on or after July 1, 2008. Should you have any questions regarding this filing, please contact Meiji Mejia by phone at (800) 431-1270, ext 7621, by mail at the above address or by e-mail at wmejia@markelcorp.com.

Sincerely,

Deidre I. Balbuena

Vice President

Product & Regulatory Services

Deiche Balbuen

Markel Insurance Company Markel American Insurance Company Capital Assets Program (Output Policy)

Explanatory Memorandum

Markel Insurance Company and Markel American Insurance Company are introducing the following endorsements to expand the coverage limits and options of the Capital Assets Program Coverage Form (Output Policy). These forms will be used to modify the ISO Capital Assets Program Coverage Form. Please note that the corresponding rates and rules are being submitted under separate cover.

• MOP008 (02/08) Business Income Changes – "Communicable Disease" and "Food Contamination" Extension is an optional form designed to provide coverage to policyholders that serve food as a part of their operations. The form provides options for the insured to select the appropriate amount of coverage for their needs. This form is similar to our current property form MCP011 which is used in conjunction with the ISO Commercial Property Coverage Part.

This new coverage enhances the Business Income coverage and provides coverage when a shutdown of the insured's entire operations caused by Food Contamination or Communicable Disease is declared by the Board of Health or other governmental body. We will pay up to \$50,000 for loss of business income and up to \$5,000 for additional coverages such as the cost to clean equipment, replace consumable goods declared contaminated, necessary medical tests for affected employees, to reimburse infected patrons for necessary doctors care and extra advertising costs to restore the insured's business reputation. The definition of Period of Restoration as respects this coverage, has been amended to begin 72 hours after the shutdown occurs. Refer to manual page MC-CAP-CWR-RR-8 for the rating rules.

- MOP009 (02/08) *Electronic Data* provides a mechanism to increase the coverage limit from that provided in the Capital Assets Program Coverage Form. Rating for this coverage will use ISO's Deficiency Point Category I in Table 51.B.3. Deficiency Point Characteristic Schedule. Refer to manual page MC-CAP-CWR-RR-6 for the rating rules.
- MOP010 (02/08) Guest Inconvenience Expense provides coverage for expenses a guest incurs when prearranged hotel accommodations cannot be honored. Such expenses that the insured may be obligated to cover are an increase in cost to secure other comparable lodging, travel expenses to get to the comparable lodging and the cost of planned activities that may have to be cancelled due to the new location of accommodations. The base limits applicable to this endorsement are \$100 per each guest per day with a \$25,000 maximum for each occurrence. These limits may be increased for an additional charge. Refer to manual page MC-CAP-CWR-RR-7 for

the rating rules. This form is similar to our current property form MCP035 which is used in conjunction with the ISO Commercial Property Coverage Part.

• MOP011 (02/08) *Increased Limits for Trees, Shrubs, and Plants* provides a mechanism to increase the coverage for that provided in the Capital Assets Program Coverage Form. Rating for this coverage will use ISO's Deficiency Point Category I in Table 51.B.3. Deficiency Point Characteristic Schedule. Refer to manual page MC-CAP-CWR-RR-6 for the rating rules.